

AMENDMENTS TO THE DRAWINGS:

Attached hereto are two sheets of corrected drawings that comply with the provisions of 37 C.F.R. § 1.84. The corrected drawings merely address clerical issues. No new matter is presented. Applicants respectfully request that the corrected formal drawings be approved and made a part of the record of the above-identified application.

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-58 are pending, of which claims 11-27 and 38-54 are withdrawn from consideration. By this Amendment, claims 1, 7, 14, 23, 28, 34, 41 and 50 are amended, and claims 55-58 are added.

In numbered paragraph 6 on page 4 of the Office Action, the Examiner requires an affirmation of the provisional election of claims 1-10 and 28-37. Applicants hereby affirm this election with traverse.

In numbered paragraph 9 on page 5 of the Office Action, independent claims 1 and 28, along with various dependent claims, are rejected as being anticipated by Higashi et al. (U.S. Publication No. 2002/0107806). This rejection is respectfully traversed.

Applicants have disclosed methods and systems for downloading digital information having, for example, audio and video information to portable computing devices. As illustrated in the figures of the present disclosure, the embodiments allow for downloading of large digital media files in a progressive manner by allowing for a transfer of such digital media to occur over various sessions. A file receives a request to transmit a file whereupon the file server locates such requested file in its memory. For verification purposes, a unique identifier is computed for the requested file, such as an MD5 checksum, of the digital file. Thereafter, an encryption key, K₁, is chosen. Using a second key, K₂, the first key and the unique identifier are encrypted, and the requested file is encrypted using the first key. Both these encrypted values are then transmitted. Subsequently, for example, after payment is received, an unencrypted form of the first key is also transmitted. The first key can

then be used to decrypt the requested file to unlock full functionality of the requested file.

The foregoing features are broadly encompassed by independent claim 1, which recites a method for transferring files, comprising, among other features, receiving a request to transfer a file; locating the requested file stored in a memory; computing a unique identifier corresponding to the requested file; choosing a first key, K_1 , wherein the first key, K_1 , is unique to the particular transfer of the requested file; encrypting the first key, K_1 , and the unique identifier with a second key, K_2 , to generate a first value; encrypting the requested file with the first key, K_1 , to generate a second value; and transferring the first and second values.

As broadly encompassed by claim 1, the first key, K_1 , is unique to the particular transfer of the requested file. As such, the same requested file requested from the same or different hot spot at a different time will have a different first key. In this manner, progressive transfer of the file is allowed. The Higashi document does not teach or suggest such a method.

The Higashi document discloses a system and method to manage a digital content such as music and videos distributed via communications or broadcasting in a manner to manage rights of the content and to control the usage of the content such as to restrict the number of times to reproduce the content. Figure 2, relied upon by the Examiner, illustrates choosing a content key used to encrypt the requested file. The Examiner alleges that the content key is equivalent to the first key, K_1 , as recited. The Higashi document discloses that the content key is related to the content itself. See paragraph [0074]. The content key does not change depending on the particular file request service session. Thus, the Higashi

document does not teach or suggest the step of choosing a first key, K_1 , wherein the first key, K_1 , is unique to the particular transfer of the requested file, as recited in claim 1, and as similarly recited in claim 28.

Independent claim 1 is therefore allowable over the Higashi document.

Independent claim 28 recites similar features and is also allowable. Claims 2-4, 7, 29-31 and 34 depend from these independent claims and recite further distinguishing features, and therefore, are allowable.

In numbered paragraph 11 on pages 5-6 of the Office Action, claims 5-6 and 32-33 are rejected as being unpatentable over the Higashi document, and in further view of Bennett (U.S. Patent 6,963,923). This rejection is respectfully traversed.

Claims 5-6 and 32-33 depend from independent claims 1 and 28, and claims 1 and 28 are allowable over the Higashi document. The Bennett document does not correct at least the above-noted deficiencies of the Higashi document. Therefore, independent claims 1 and 28 are allowable over the Higashi and Bennett documents. Accordingly, claims 5-6 and 32-33 are also allowable over the Higashi and Bennett documents.

In numbered paragraph 12 on pages 6-7 of the Office Action, claims 8-10 and 35-37 are rejected as being unpatentable over Higashi and in view of Carpentier et al. (U.S. Patent 6,807,632). This rejection is respectfully traversed.

Claims 8-10 and 35-37 depend from independent claims 1 and 28. The Carpentier document does not correct at least the above-noted deficiencies of the Higashi document. Therefore, independent claims 1 and 28 are distinguishable over the Higashi and Carpentier documents. Accordingly, claims 8-10 and 35-37 are also allowable over the Higashi and Carpentier documents.

Claims 55-58 are added in this amendment. The new claims depend from independent claims 1 and 28, and the features therein are supported in the disclosure as originally submitted, for example, in Figure 9.

All rejections and objections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: June 28, 2007

By: Patrick J. Keane, #44,346
for Patrick J. Keane
Registration No. 32858

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620